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Thank you for providing a summary of your understanding of key points of consensus reached during the February 18, 2016 meeting and in the days following the meeting. EPA in kind provides its perspective as it stands today.

1. Proposed Groundwater Monitoring Well Locations

EPA was not provided information it requested in its December 2015 comments, site soil data, a description of remaining subsurface features (e.g., sewers) potentially containing contamination, or time sufficient to complete a detailed evaluation. EPA reserves the right to request groundwater monitoring locations be added.

2. Planned Sampling Event

The following concerns are cited:

- a. Whether analyses will include each analyte/parameter potentially associated with an existing contaminant release sourced at and from Facility property;
- b. Presence/absence of chromium including at, but not limited to, MW-1 and MW-6;
- c. Presence/absence of PCBs and dioxin/furans in site soils and groundwater; and
- d. Detection limits extending to below applicable screening levels, including detection limits associated with 1, 4-dioxane, PAHs, PCBs and dioxin/furans.

3. Groundwater Environmental Indicator

During the February 18, 2016 meeting, DII stated two rounds of groundwater monitoring at each of the site wide wells will be conducted.

As EPA stated during the meeting, EPA agrees to *consider* data and the groundwater modeling results to evaluate the groundwater environmental indicator which addresses whether contaminant migration in groundwater is under control. If the data and model indicate contamination extends only a few feet from the former manufacturing parcel, EPA may accept the results. If the data and the model indicate contamination extends further out, EPA will evaluate whether confirmation sampling and/or monitoring is necessary. Among EPA's concerns is whether there is potential for unacceptable vapor intrusion.

4. Parcels

For the Purpose of RCRA Corrective Action at the DII Facility, EPA will include the North Parcel in its proposed remedy decision for the Facility. EPA intends to use available information and data, including the Phase I and II Reports, to satisfy the data needs to reach a decision on the North Parcel. Based on the discussion at the February 18, 2016 meeting and subsequent interactions among the parties, EPA does not expect its inclusion of the North parcel to be problematic.

DII has expressed concern regarding EPA's expectation for characterization of the East and South parcels. Rather than focus on where the parties disagree, it is EPA's understanding that DII has agreed to search for and provide available information on the conditions of the East and South parcels. EPA appreciates DII's willingness to provide data such as any Phase I and Phase II reports and a summary of conditions encountered when the stormwater basins were installed. EPA will also

consider data from existing monitoring wells in its assessment of the 2 parcels. A proposed Remedy Decision for the entire property, which will include the North, East and South parcels will be issued by EPA for public comment at the end of this process.

5. Activity and Use Limitations, Risk Assessment, and Environmental Covenant

During the meeting, EPA agreed an industrial exposure scenario may be applied to the risk assessment where land use is zoned “industrial”, and EPA acknowledged the “Use and Operating Restrictions” seemed to be consistent with a non- residential land use.

As EPA agreed during the meeting, EPA looked into whether the “Use and Operating Restrictions” provided by Dresser can be incorporated into a UECA which EPA and MDE will sign; and whether an environmental covenant can be entered into prior to a decision. As discussed during our conference call on March 1, 2016, EPA is concerned that use restrictions solely based on the “Use and Operating Restrictions” language may not be implementable and/or enforceable ensuring conformance with the industrial exposure scenario that will served as the basis for the Risk Assessment.

Considering this, EPA has developed the enclosed crosswalk language that is meant to integrate and reflect the “Use and operating Restrictions” into typical EPA land use restrictions language reflecting industrial exposure scenario.

With respect to whether an environmental covenant can be entered prior to a Remedy decision, our Office of Regional Counsel and the Maryland Attorney General are discussing this matter.

6. Tarp Removal

As EPA stated during the meeting, EPA agrees the tarps may be removed as long as any resulting impacts to LNAPL are monitored. EPA’s agreement that the tarps may be removed is not intended to usurp requirements imposed by other government agencies. EPA was not a party to the decision to install the tarps. If the tarps were installed to address requirements imposed by a different government agency, for example, such as any erosion control requirements, then DII should seek approval to remove the tarps from the agency which required the tarps.

7. LNAPL Gauging Frequency

As EPA stated during the meeting:

- The frequency of LNAPL gauging should be reduced based on conditions and be addressed as needed, based on future groundwater goals;
- EPA requests LNAPL gauging be conducted following tarp removal, and
- EPA suggests LNAPL gauging be conducted during each groundwater monitoring event.

8. Groundwater Cleanup goal

The following description of relevant programmatic policy is provided by Joel Hennessy, EPA Region 3 geologist and contributor to the EPA Handbook of Groundwater Protection and Cleanup Policies for RCRA Corrective Action available at

<https://www3.epa.gov/epawaste/hazard/correctiveaction/resources/guidance/gw/gwhandbk/index.htm>

As described on EPA's Handbook of Groundwater Protection and Cleanup Policies for RCRA Corrective Action¹, EPA expects final remedies to return "usable" groundwaters to their maximum beneficial uses, wherever practicable, within a timeframe that is reasonable given the particular circumstances of the facility. Facilities and regulators should establish specific media cleanup objectives that will meet this expectation. Based on private use of groundwater at the census block group level described in 1990 US Census data, public drinking water wells described in an EPA data base [Safe Drinking Water Information System (SDWIS), and current groundwater use described in the 2010 City of Salisbury Comprehensive Plan], EPA finds groundwater in the vicinity of the Wayne Dresser RCRA Corrective Action Facility is "usable" and the water table aquifer actually is being used. Thus, cleanup levels will be based on drinking water use (i.e., MCLs, or tapwater RBCs if there is no MCL).

Note that in the 2010 City of Salisbury Comprehensive Plan, future changes to the water system are described and include an increase to the Park Water Treatment Plant production by 1 MGD with new wells and raw water lines. (By 2030). These events would need to be monitored in order to assess the potential impact to the facility hydrology and the protectiveness and effectiveness of a groundwater remedy.

9. 2014 Work Request and Associated Chart

EPA understood during the meeting that DII agreed to provide to EPA an evaluation of presence/absence of release associated with each area described in the chart which EPA provided with its June 2014 Work Request. EPA continues to request all work described in its June 2014 Work Request be completed.

10. Chromium Report

EPA's comments are attached.

EPA looks forward to working with DII to reaching a mutually agreeable path forward.

¹ EPA's Handbook of Groundwater Protection and Cleanup Policies for RCRA Corrective Action available at <https://www3.epa.gov/epawaste/hazard/correctiveaction/resources/guidance/gw/gwhandbk/index.htm>